

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

STEVEN J. FARR,

Plaintiff,

v.

WEBSTER POLICE DEPARTMENT,

Defendant.

**CIVIL ACTION
NO. 25-40021-MRG**

**ORDER
April 8, 2025**

GUZMAN, D.J.

By Order dated March 17, 2025, Plaintiff Steven J. Farr was granted leave to proceed *in forma pauperis* (ECF 12). At that time, Farr was advised that if he wishes to proceed with this action, he must file on or before April 18, 2025, an amended complaint that sets forth a claim upon which relief may be granted, otherwise the action will be dismissed. *Id.*

On April 8, 2025, Farr filed motions to compel and for leave to proceed *in forma pauperis* accompanied by an affidavit. (ECF 14 – 16). In the motion to compel, Farr states that he made a records request and that he “cannot amend the complaint with specificity or serve process on the officers involved until the Town and/or Police Department complies with public records obligations.” (ECF 14 at 1).

To the extent Farr states that he needs to discover the names of individual officers before filing an amended complaint, this is not a sufficient basis to show that early discovery is necessary at this time. “A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f)[.]” *See* Fed. R. Civ. P. 26(d)(1).

Here, Farr is still required to file an amended complaint, otherwise the action will be dismissed. In drafting an amended complaint, Farr may use “Doe” designations to refer to defendants whose names are unknown; however, he must number them in the amended complaint, *e.g.*, “John Doe 1,” “John Doe 2,” or otherwise distinguish each defendant, *e.g.*, “Detective John Doe,” so that every John Doe refers to a different specific person. The amended complaint must identify what action or inaction is attributed to each such named defendant. Farr may allege specific acts attributed to each of these Doe defendants, such as John Doe 1 did X and John Doe 2 and 3 did Y. If the amended complaint survives preliminary screening, Farr may amend the complaint to substitute the correct parties once he discovers the true names of any Doe defendants.

Based upon the foregoing, the Court ORDERS:

1. Plaintiff’s motion (ECF 16) for leave to proceed *in forma pauperis* is DENIED AS MOOT because Farr has already been granted leave to proceed *in forma pauperis*.
2. Plaintiff’s motion (ECF 14) to compel is DENIED. To the extent Farr wishes to proceed, **he shall file an amended complaint on or before April 18, 2025**, otherwise the action will be dismissed.
3. No summons shall issue pending further order of the Court.

So Ordered.

/s/ Margaret R. Guzman
MARGARET R. GUZMAN
UNITED STATES DISTRICT JUDGE

Dated: April 8, 2025